

Applicant: Hermann Grether
Application No.: 10/519,572

REMARKS/ARGUMENTS

After the foregoing Amendment, Claims 34 – 63 and 66 – 67 are currently pending in this application. Claims 34, 35, 40, 42 – 44, 51, 54 - 56 and 61 – 63 and 66 have been amended. Claims 1 – 33 and 64 – 65 are cancelled. In the specification, paragraph [0056] has been amended. Applicant submits that no new matter has been introduced into the application by these amendments.

Examiner Interview

The undersigned and Assignee's representative, Christoph Weis, conducted an in-person interview with the Examiner and the Examiner's Supervisor, Len Tran at the U.S.P.T.O. on April 27, 2009. During the interview, amendments to the claims were discussed in view of U.S. Patent No. 6,152,182 to Grether et al. It was also noted that Mr. Weis is a named inventor of the '182 patent. Additionally, a sample of the claimed component was shown. The sample was disassembled to show the various claimed features, which were discussed with the Examiner.

The undersigned and Assignee's representative wish to thank the Examiner and Supervisor Tran for the courtesies extended during the interview. If the Examiner believes that a further interview, either telephonically or in person, will help to resolve any potential issues in connection with this application, the

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Examiner is invited to contact the undersigned by telephone at the Examiner's convenience.

Objections to the Drawings

The Examiner objected to the drawings for failing to show every feature of the invention specified in the claims, specifically "*housing part being braced by longitudinal ridges in the circumferential direction that are distributed in an equal manner*". The cancellation of claims 64 and 65 renders the objection moot. Accordingly, withdrawal of the objection to the drawings is respectfully requested.

Claim Rejections – 35 U.S.C. § 112

Claims 40, 54 – 56 and 61 – 66 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The amendment of claims 40, 54 – 56 and 61 – 63 and 66 obviates the rejection under § 112.

Accordingly, the rejection of claims 40, 54 – 56 and 61-66 under § 112, second paragraph, is respectfully requested.

Claim Rejections – 35 U.S.C. § 102

Claims 34 – 60 and 64 – 67 were rejected as anticipated by U.S. Patent No. 6,152,182 to Grether et al.

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Applicant respectfully traverses the rejection.

Independent claim 34 currently recites a sanitary component having a jet regulating device in an interior of a mounting housing. The jet regulating device includes at least one mounted element mountable in the mounting housing. The mounted element has ridges oriented transverse to a direction of flow, between which passageways are defined. The ridges of the at least one mounted element are arranged in the form of a grid or mesh, which cross at junction points located in a single plane.

As discussed in the interview, and as set forth in the attached Declaration under 37 C.F.R. § 1.132 of Christoph Weis, a named inventor of the ‘182 patent, the ‘182 patent does not show the ridges arranged in the form of a grid or a mesh which cross at junction points located in a single plane as currently claimed. The ‘182 patent also fails to show a jet regulating device mounted in the interior of a mounting housing as claimed. Accordingly, the rejection of claims 34 – 60 and 64 – 67 under § 102 is respectfully requested.

Claim Rejections – 35 U.S.C. §103

Claims 61-63 stand rejected under 35 U.S.C. §103(a) as being unpatentable to Grether in view of Flieger (U.S. Patent No. 6,588,682).

Claims 61 – 63 are dependent upon claim 34, which the Applicant believes is allowable over the cited prior art of record for the reasons provided above. It is also

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noted that Flieger fails to show a housing part having at least one soft or water-repellent water surface as is claimed in claim 61.

Furthermore, Flieger actually teaches away from the invention in column 5, line 30 stating: "Particularly as a result of the smooth-walled limitation or boundary of the guide and outflow channels 13 and the absence of jet splitting screens towards its interior, the jet ventilator only has a limited calcification tendency."

Based on the arguments presented above, withdrawal of the § 103 rejection of claims 61 - 63 is respectfully requested.

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Conclusion

If the Examiner believes that any additional minor formal matters need to be addressed in order to place this application in condition for allowance, or that a further interview will help to materially advance the prosecution of this application, the Examiner is invited to contact the undersigned by telephone at the Examiner's convenience.

In view of the foregoing amendment and remarks, Applicants respectfully submit that the present application, including claims 34 – 63 and 66 – 67, is in condition for allowance and a notice to that effect is respectfully requested.

Respectfully submitted,

Hermann Grether

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RJB/srp

Enclosure (Declaration under 37 C.F.R. §1.132 of Christoph Weis)